

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards #02014

DATE: July 23, 2002

PROPOSAL: To waive the design standard for parking lots which requires 15 feet of site penetration.

LAND AREA: 12,800 square feet, more or less

CONCLUSION: If this waiver were granted, cars may need to back over the sidewalk in order to exit the parking lot. This does not protect the health, safety or welfare of pedestrians.

Other solutions are possible. The parking lot could be redesigned to provide one way southbound travel. If all cars were exiting onto Ryons Street in a forward motion, the site penetration requirement would no longer apply. The applicant could also request an exception to the parking requirements from the Board of Zoning appeals, build fewer stalls, and meet site penetration requirements.

RECOMMENDATION:

Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 13 & 14, Block 1, Ryons Addition, located in the SW 1/4 of Section 36, T10N, R6E of the 6th P.M., Lancaster County, Nebraska.

LOCATION: S. 17th St. & Ryons Street.

APPLICANT: Darin Horst
827 W. Burnham
Lincoln, NE 68522
476-4700

OWNER: Windfall Financial Group L.L.C.
827 W. Burnham
Lincoln, NE 68522

CONTACT: Darin Horst

EXISTING ZONING: B-3 Commercial District

EXISTING LAND USE: Vacant commercial building (former restaurant)

SURROUNDING LAND USE AND ZONING:

North: B-3 drug store
South: R-4 residential
East: R-4 parking lot by special permit with residential further to the east
West: B-3 grocery store

HISTORY: The restaurant was constructed in 1987

The property was changed from I Commercial to B-3 Commercial in the **1979 Zoning Update**.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan designates this property as Commercial. This property is part of an existing Commerce Center. Regarding Commerce Centers, the Plan states:

Commercial locations should be easily accessible by all modes of transportation including pedestrian, bicycle, transit and automobiles. Centers should be especially accessible to pedestrians and bicycles with multiple safe and convenient access points. (p F 44)

UTILITIES: Sewer and water are available

TRAFFIC ANALYSIS: S. 17th Street is an Urban Collector

PUBLIC SERVICE: City of Lincoln Fire and Police

ANALYSIS:

1. The restaurant on this site was built in 1987 with 10 parking stalls. In the B-3 zoning district, restaurants (which in other districts require 1 parking space per 100 square feet of building area) require 1 parking space per 600 square feet (see attached Parking Matrix).
2. Per §27.67.040(d)(4) doctor's and dentist's offices require 1 parking space per 225 square feet regardless of the zoning district. In this case, medical offices require more parking spaces than the restaurant did.
3. Design Standards for parking lots require 15 feet of site penetration so that vehicles can enter and leave the right of way at approximately a right angle across the sidewalk. The site penetration requirement also permits vehicles to enter and exit a parking lot in a forward motion (see attached excerpt from the Design Standards).

4. The applicant's proposed parking layout creates a situation where cars may need to back over the right-of-way and the sidewalk in order to exit the stalls. This presents a potential hazard for pedestrians.
5. Public Works & Utilities recommends that the applicant revise the parking lot flow to provide one way southbound travel. If the flow were designed so that cars move from north to south, the site penetration requirement would no longer apply.
6. The applicant could also petition the Board of Zoning appeals for an exception to the parking requirements. If approved, the exception would allow the applicant to redesign the lot with fewer stalls so that the site penetration requirement could be met.
7. Parks & Recreation has requested a landscape plan for the parking lot. The landscape plan is not necessary at this time - it will be reviewed with the building permit request.

Prepared by:

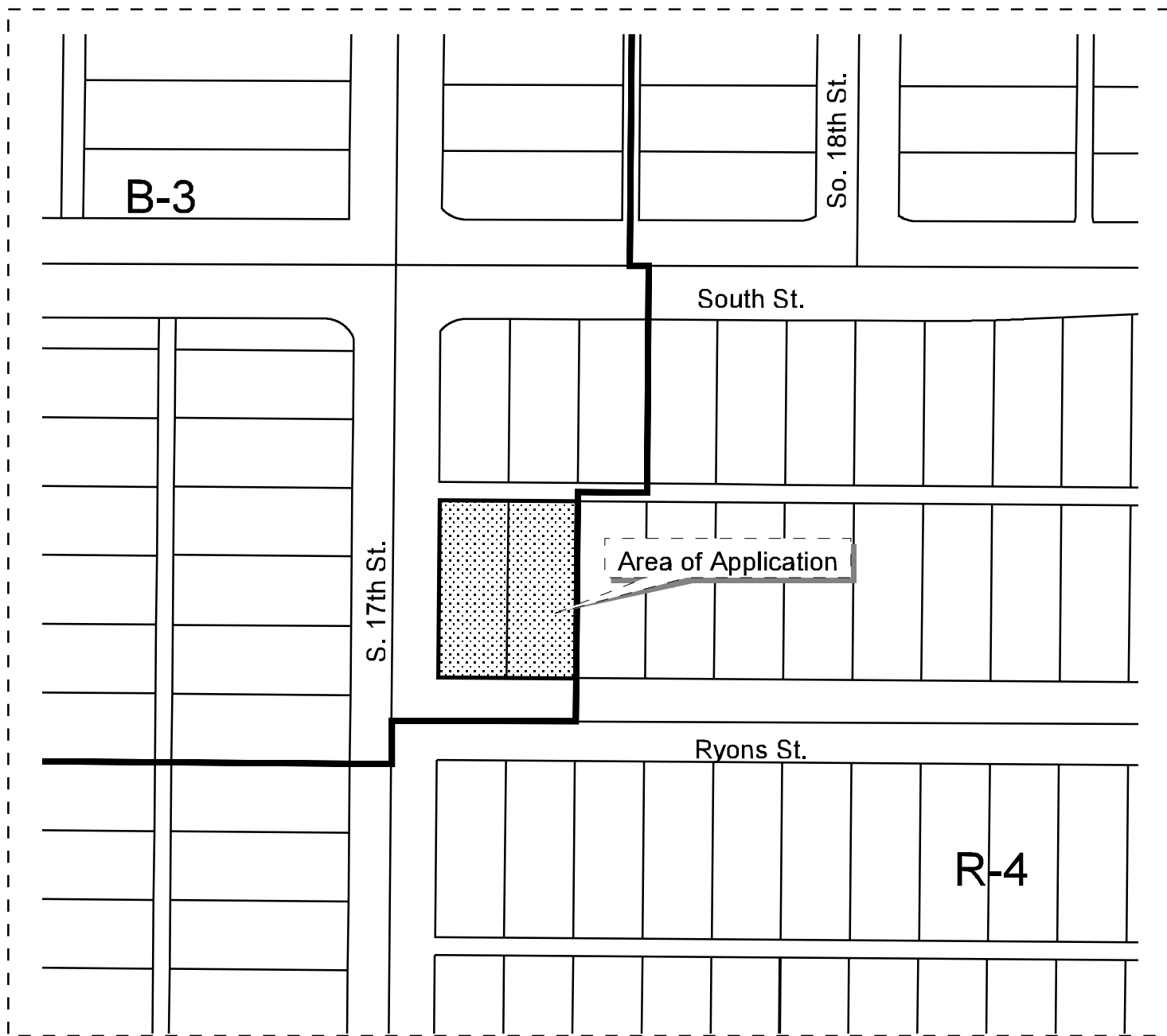
Jason Reynolds
Planner



Waiver of Design Standards #02014
S. 17th & Ryons St.
Kings Palace



Photograph Date: 1997

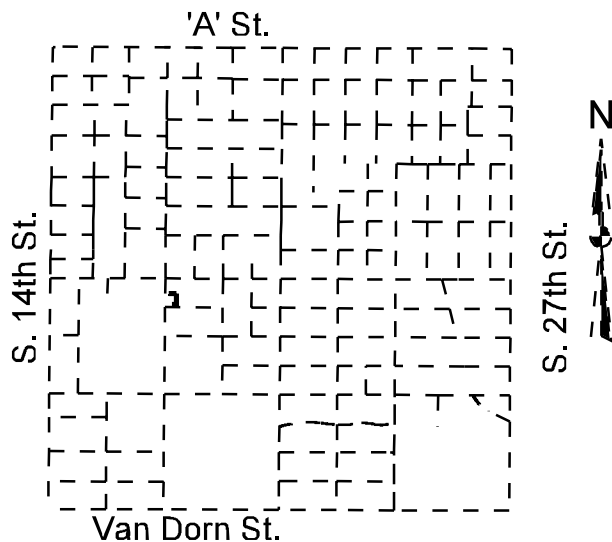
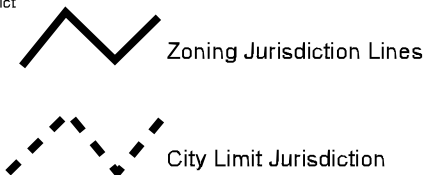


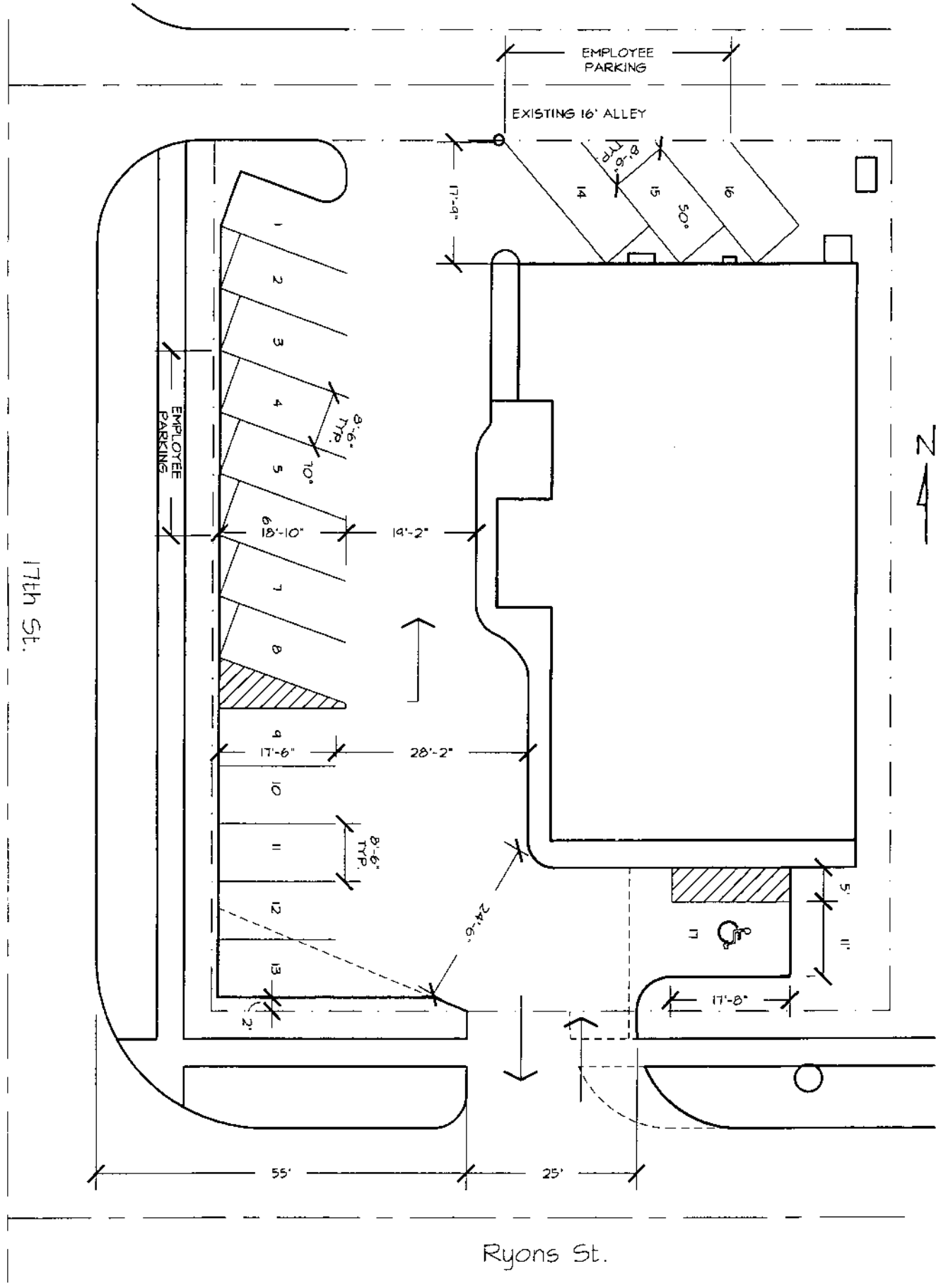
Waiver of Design Standards #02014
S. 17th & Ryons St.
Kings Palace

Zoning:

- | | |
|------------|----------------------------------------|
| R-1 to R-8 | Residential District |
| AG | Agricultural District |
| AGR | Agricultural Residential District |
| R-C | Residential Conservation District |
| O-1 | Office District |
| O-2 | Suburban Office District |
| O-3 | Office Park District |
| R-T | Residential Transition District |
| B-1 | Local Business District |
| B-2 | Planned Neighborhood Business District |
| B-3 | Commercial District |
| B-4 | Lincoln Center Business District |
| B-5 | Planned Regional Business District |
| H-1 | Interstate Commercial District |
| H-2 | Highway Business District |
| H-3 | Highway Commercial District |
| H-4 | General Commercial District |
| I-1 | Industrial District |
| I-2 | Industrial Park District |
| I-3 | Employment Center District |
| P | Public Use District |

One Square Mile
 Sec. 36 T10N R6E

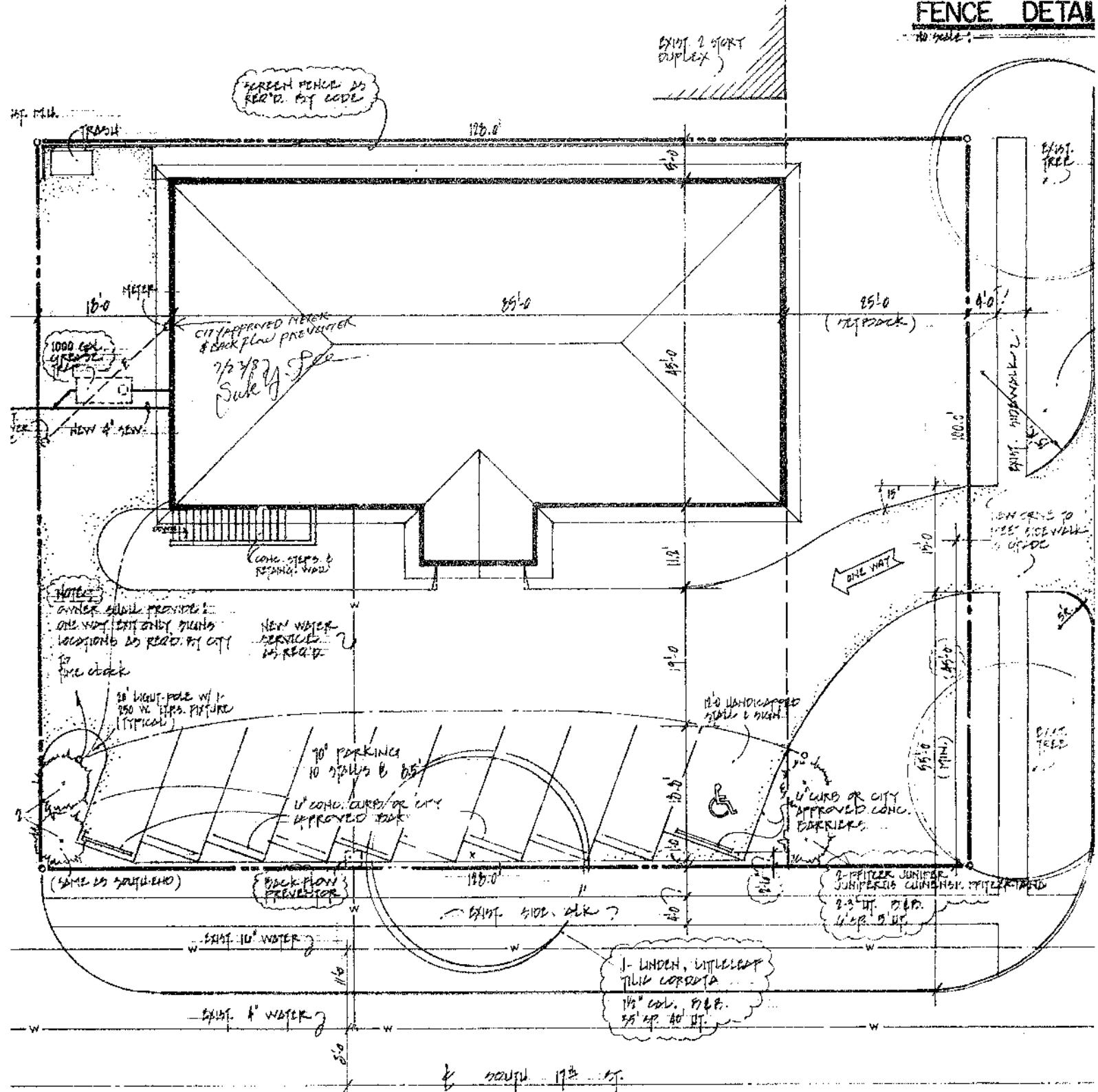




PROPOSED PARKING LAYOUT

1987 BUILDING PERMIT

FENCE DETAIL



RECEIVED

JUL 22 2002

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

NOTE:

GENERAL CONTRACTOR SHALL REMOVE ALL
EXISTING BUILDINGS, FOUNDATION WALLS
AND FOOTINGS. — AND DEMOLISH
ALL EXIST. UTILITIES AS REQ'D.

CODE DATA:

CONSTRUCTION — TYPE V-1 DR.
OCCUPANCY — D-3
ZONING — R-3

REMARKS:

118 RYONS
LOTS 13 & 14
BLOCK - 1
RYONS ADDITION

SITE PI



1987 BUILDING PERMIT

PLANS AND SPECIFICATION CHECKLIST

CODES ADMINISTRATION DIVISION

City of Lincoln, Nebraska

Project Name SUR Y Lee Restaurant Date Received _____

Project Address 2130 S 17th

Architect or Engineer Thissen Contractor _____ Owner _____

Plat Map Page D-5 Zoning District B-3 Flood Plain NO S.P. NO

West By-Pass NO S.D. NO Capital Environs NO B.O.A. NO Other NO

Required Front Yard and Bldg. Line Dist 0' south ; 25' Ryans NO BLP

Req. Side Yard 5 to E Req. Rear Yard 0' to N

Max. Height by Zoning Dist. _____ Use O.K. by Zoning Dist. _____ Parking Stall Requirements 9

Lot Area _____ Open Space _____ Screening or Landscaping Req. _____ Parking Lot Lighting _____

Occupancy Group A-3 Type of Construction IV-N

Special Requirements by Use _____

No. of Stories 1 Max. Height by Bldg. Code _____ Wall and Opening Protection Req. 1 1/2 to E

Areas Req. to be Sprinkled Basement < 1500' - not req'd Basic area Allow/Floor 6000

Area Dedicated for Req. Open Space _____ Increases/Floor _____

Total Area all Floors & Mezz Except Basement 4995 Basement Area 1170 First Floor Area 3825

Upper Floor Areas _____

Total Approx. Occup. Load 180 Basement Occup. Load 12 First Floor Occup. Load 148

Upper Floor Occupant Loads _____

No. of Exits for Floor Checked ✓ Exit Widths Checked _____ Distance to Exits Checked _____

Door Swings Checked _____ Panic Hdw. Required _____ Doors over Alleys or Sidewalks _____

Req'd No. of Stairways Provided _____ Stairways Enclosed _____ Stair Riser, Tread & Head Clear. Checked _____

Handrails Checked _____ Stairway to Roof Req'd _____ Proper Distance Between Landings _____ Space Under Stair Enc. _____

Occupancy Separation Walls _____ Area Separation Walls _____ Vertical Shafts _____ Attic Access or Draftstop _____

Smoke Screens or Smoke Vents _____ Usable Space Under Gyp Board NO Guardrails Required _____

Fire-Retardant Roof Coverings SEE NOTE Boiler Rm. or Mech. Rm. Separated _____ Light & Vent. Required _____ Smoke Detectors _____

No. of Toilets _____ Storage or Handling Flammable Liquids _____ Reqmts. for Disabled _____ Insulation Reqmts. _____

Approved Demolition of Exist. Bldgs. _____ Airport Zoning Map _____ Arch. or Eng. Seal Required _____

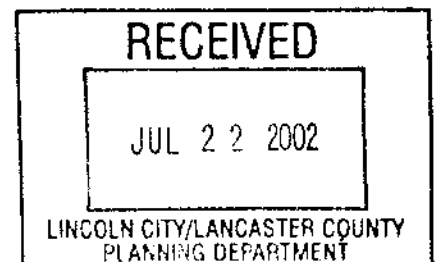
Checked by _____

CODES ADMINISTRATION DIVISION

COMMENTS:


NOTE: Shingle shingles must be class B

FORM 15-8



M e m o r a n d u m

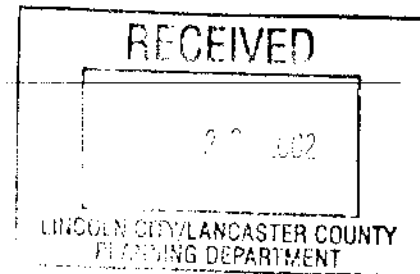
To: Jason Reynolds, Planning

From:  Dennis Bartels, Public Works and Utilities

Subject: Waiver of Design Standards #02014

Date: July 22, 2002

cc: Randy Hoskins
Roger Figard
Buff Baker



Engineering Services has reviewed the request to waive the design standard for 15' of site penetration for the building at 2130 South 17th Street and has the following comments:

1. Public Works objects to the waiver. The intent of the requirement is so that vehicles enter and leave the right-of-way across the sidewalk at approximately a right angle. The design submitted shows stall that cannot be accessed and meet this principal. Depending upon the direction of travel, cars may need to back over the right-of-way and potentially over the sidewalk to exit the stalls. No justification is given other than that the site is too small for the use intended.
2. I recommend that the parking lot flow be reversed to provide one way travel southbound. The site penetration design standard would than not be an issue.

Memo



To: Jason Reynolds, Planning Department

From: Mark Canney, Parks & Recreation

Date: July 22, 2002

Re: 2130 S. 17th St. Parking WDS 02014

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have compiled the following comments:

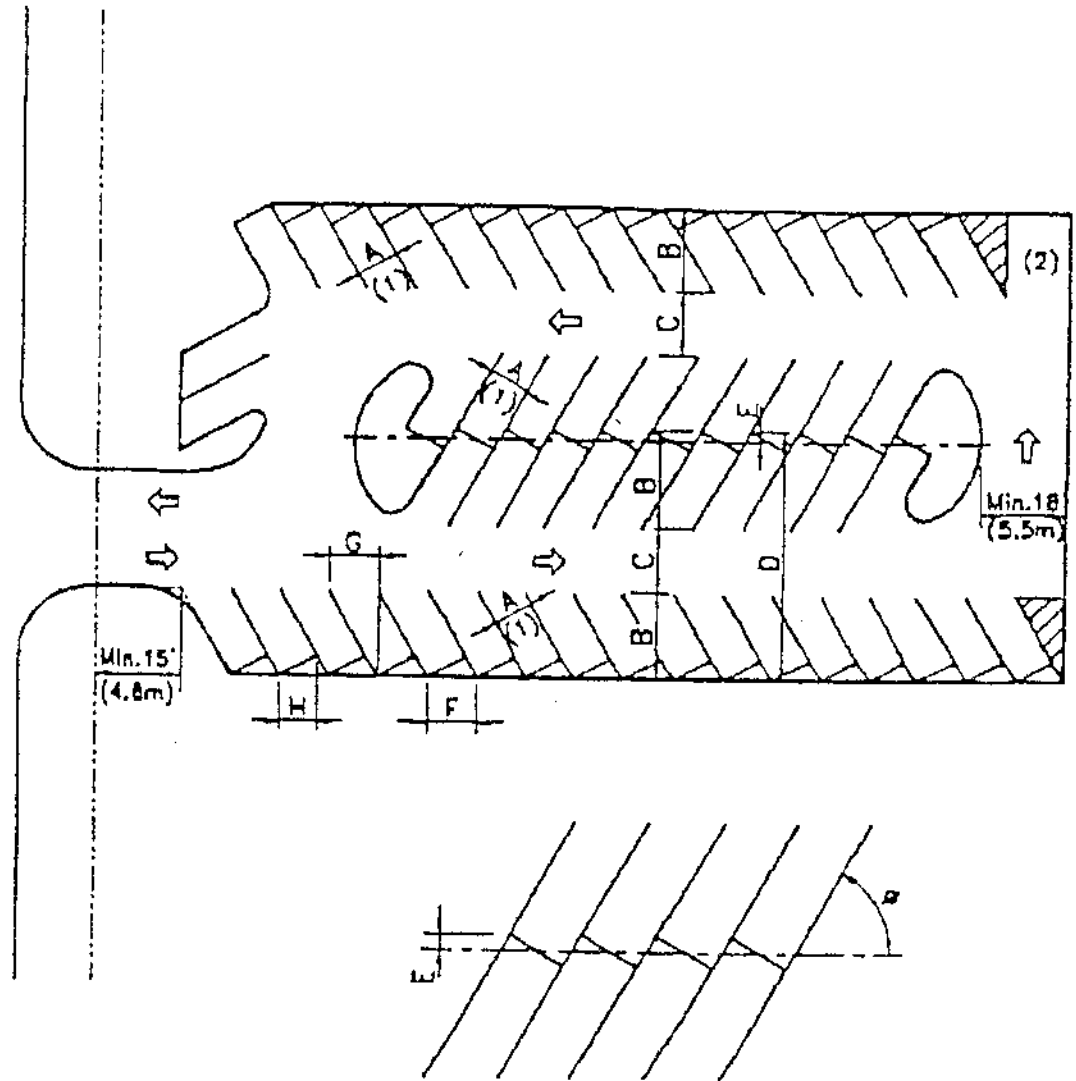
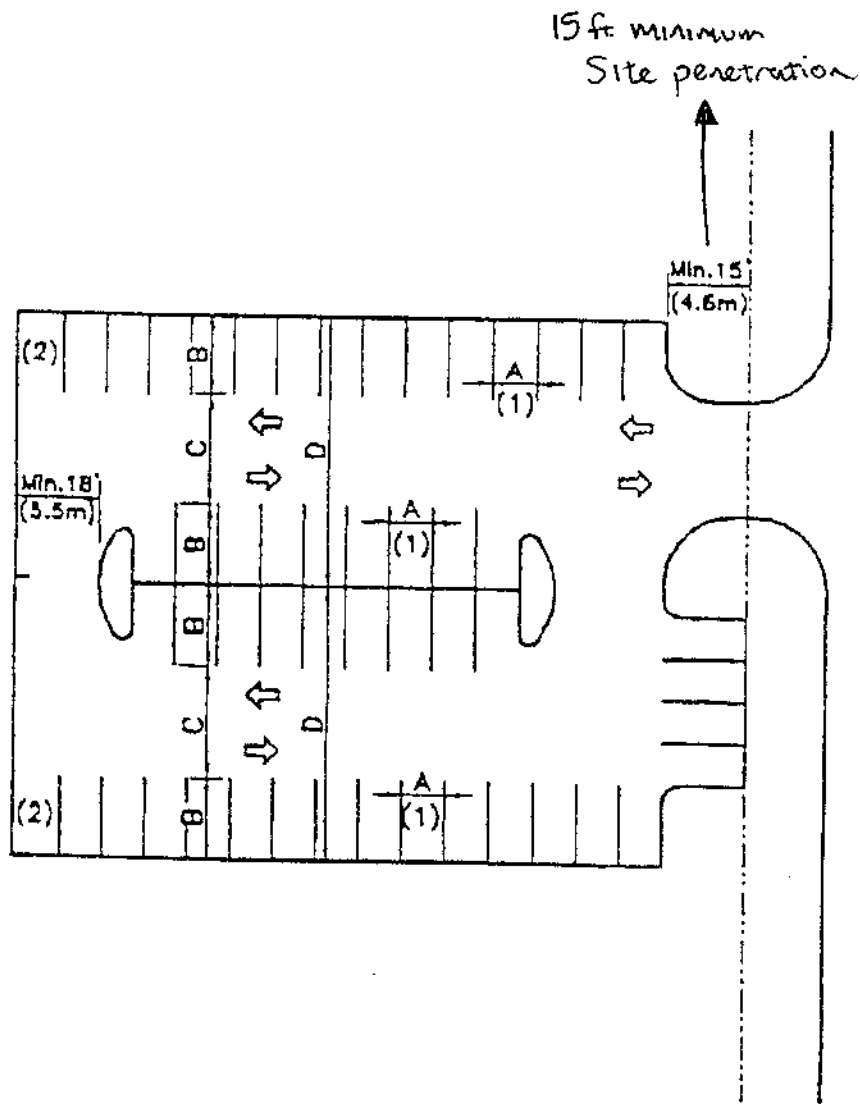
1. Please provide a landscape plan for review depicting existing and proposed plant materials. Include the location of existing/proposed street trees as well.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

Figure 27.67.020
PARKING MATRIX

Parking Spaces	Zoning Districts																								
	AGR	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R.T.	O-1	O-2	O-3	B-1	B-2	B-3	B-5	II-1	II-2	II-3	II-4	I-1	I-2	I-3	
1 space/dwelling unit								*	*	*		*	*	*	*	*	* within 300'	* elderly units	Caretaker employed and residing on premises						
1.75 spaces/dwelling unit																									
2 spaces/dwelling unit	*	*	*	*	*																				
1 space/2 dwelling unit											*														
1/1200 sq. ft.											* within 900'														
1/600 sq. ft.																	* within 300'								
1/500 sq. ft.									*				*												
1/300 sq. ft.												*	*		* within 300'						*			* office retail	
1/225 sq. ft. See note 5										*															
1/200 sq. ft.																									
1/150 sq. ft.																			* within 300'						
1/100 sq. ft.																		* See note 1							
1/room + 1/100 sq. ft. of accessory uses														* restaurants			* restaurants		* see note 2		* restaurants				
4.5 spaces/1000 sq. ft.																								* hotel motel	
2 spaces/3 persons on maximum shift or 1/1000 sq. ft. See note 5																	* see note 3						* within 300'	*	
1 space/1,000 sq. ft. for first 50,000 sq. ft. and 1 space/2,000 sq. ft. in excess of 50,000 sq. ft. or 1 space/employee on maximum shift. SEE NOTE 5.																								* warehouses	
AG District: None except schools, churches & similar uses. B-4 District: As per additional conditions	Notes: 1. Garages and service stations 2. Bowling alleys and restaurants 3. Except hotels, motels and restaurants 4. Construction of the required parking spaces may be deferred to 1 space/300 sq. ft. until the building is being used for doctor's and dentist's offices.											5. If the number of spaces required by the building ratio is greater than required by the employee ratio, an additional parking area shall be reserved to accommodate the construction of the additional spaces.													

From Design Standards Chapter 345 - Parking Lots



July 10, 2002

RE: 2130 S 17th St. Parking

Dear Planning Commission,

We are requesting a waiver of the 15' setback rule (on the drive side) of parking lots on the property located at 2130 S. 17th. As you may know, this building is the old King's Palace which has been vacant for nearly 3 years. The building currently has 11 stalls in its parking lot and is not nearly enough for a building of its size and has made the property undesirable to many prospective tenants. We are proposing to turn the restaurant into a Medical Office building which is a substantially better use of the property, given its location to the hospital. We have had a great deal of interest from Doctor's and Psychologists to locate their practices there.

The proposed plan would have 3,801 SF of office space. According the parking matrix a Doctor's. or a Dentists' office needs 1 stall per 225sf of floor area. This equals 17 stalls. The enclosed plan provides the 17 stalls needed, given the 15 foot setback requirement can be change to 2 feet on the south end of the property. We will add any required landscaping/screening to the property according to the Design Standards.

The added parking is essential to attracting quality, long term tenants. It will greatly add to the properties viability and it will add value to the neighborhood. Thank- you for considering this matter.

Sincerely,

Windfall Financial Group, LLC.

Darin Horst

Enclosed: Site Parking Plan